

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 8, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Pearson presiding.

Roll Call:

Present: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Absent: Mayor McAden

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. CARL HACKER, Pastor to the National Lutheran Council Students at the University of Texas.

Councilman White moved that the Minutes of April 1st be approved. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

MRS. MAY E. WORD, MISS MARGARET J. GUSTAFSON, MR. CHARLES McDUFF and MRS. McDUFF appeared before the Council and protested the manner in which the Hospital Board handled the investigation of the situation at the Hospital. They wanted an impartial board appointed to investigate the matter. They stated they wanted to defend their reputation and character. The policy of the city regarding city employees was discussed. The Council stated they would like to study the personnel policies of the city and the suggestions made would be taken under consideration.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. J. P. Horn has made application in writing for permission to use and maintain in her residence a day nursery complying with all City and

and State regulations, on Lot 1, Block 14, Crestview, Section #1, in the City of Austin, Travis County, Texas, the same being on the south side of Justin Lane and locally known as 1801 Justin Lane, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a day nursery at the location described above be granted to Mrs. J. P. Horn.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Protem McAden
 Noes: None
 Absent: Mayor McAden

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. L. L. Bowen has made application in writing for permission to use and maintain in her residence a day nursery complying with all City and State regulations, on Lot 1, Block 12G, Fairview Park, in the City of Austin, Travis County, Texas, the same being on the east side of Brackenridge Street and locally known as 1601 Brackenridge Street, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a day nursery at the location described above be granted to Mrs. L. L. Bowen.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
 Noes: None
 Absent: Mayor McAden

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Conrad Fath has made application in writing through Dr. Martin McBride, for permission to erect an addition to an existing commercial building to be used for the treatment of small domestic animals on the west 75' of the Robert P. Toomey 5.56' acre tract, the same being on the north side of Barton Springs Road and is locally known as 1530 Barton Springs Road and is located

in a "C" Commercial District, which under Section 6, Item 33 of the Zoning Ordinance, requires a special permit from the City Council; and

WHEREAS, the applicant further agrees to soundproof and air-condition the building, that no kennels, runs, or other housing of animals outside of the main building will be erected or used and that no animals will be boarded or bred or confined longer than is necessary for the proper treatment of diseases, and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a building for the treatment of small domestic animals be granted to Conrad Fath and to be operated as a Veterinary Clinic.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
 Noes: None
 Absent: Mayor McAden

MR. LEE MILLS asked for an adjustment of taxes on a 1941 Mercury car for the years 1947, 1950 and 1951. He felt that the assessments were too high. It was brought out that the assessments on all cars were made on the same basis.

MR. WARNER HANCOCK, Attorney, asked the Council to delay action on the letting of a contract for the codification of the ordinances. He stated MR. RUSSELL ROBERTSON, MR. MARION SHAFER and others were interested and they would like to see this work done in Austin. He stated MR. MILLER GROVE and MR. CORWIN JOHNSON of the University of Texas had offered to act as advisors. The Travis County Jr. Bar Association was also interested. Mr. Hancock was advised to organize his men and meet with the City Attorney and present a concrete proposal to the Council next week.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainage easement along certain lot lines was reserved and dedicated to the public on a map or plat of a Resubdivision of Block B and a portion of Blocks D and E of Fiset Place, a Subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 5, Page 137, of the Plat Records of Travis County, Texas; and

WHEREAS, the hereinafter described portion of such easement is not now needed and hereafter will not be required by the City of Austin; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the portion of such drainage easement located on the hereinafter described tract of land, to wit:

The south five (5) feet of the north ten (10) feet of Lot 2, of Block E, of said Resubdivision of Block B and a portion of Blocks D and E, of Fiset Place.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in CORONA DRIVE, from Nassau Drive easterly 1600 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CORONA DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in CLOVERLEAF DRIVE, from Nassau Drive easterly 1600 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CLOVERLEAF DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in RIDGEMONT DRIVE, from a point 18 feet east of Nassau Drive easterly 1894 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RIDGEMONT DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in LARKWOOD DRIVE, from a point 17 feet

east of Nassau Drive easterly 1895 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LARKWOOD DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in LYONS ROAD, from a point 90 feet west of Linden Street westerly 81 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LYONS ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in WATCHHILL ROAD, from Newfield Lane (south) to Newfield Lane (north) the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WATCHHILL ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in NEWFIELD LANE, FROM Watchhill Road northerly 864 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said NEWFIELD LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in BERGER STREET, from Alf Avenue southerly 179 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BERGER STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in VASQUEZ STREET, from a point 50 feet south of Montana Street northerly 10 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said VASQUEZ STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in MONTOPOLIS DRIVE, from a point 435 feet south of Club Terrace southerly 295 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east property line of said MONTOPOLIS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in MANCHACA ROAD, from Fortview Road southerly 257 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MANCHACA ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in FORTVIEW ROAD, from a point 378 feet west of Manchaca Road westerly 557 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FORTVIEW ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in IVY TRAIL, from Manchaca Road westerly 1033 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said IVY TRAIL.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points. When the Southern Union Gas Company required definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to advertise for bids on the sale of bonds of the City of Austin at 10 o'clock A.M. April 20, 1954, as follows:

Airport Improvements	\$ 350,000.00
Auditorium	100,000.00
Fire Stations	36,000.00
Hospital Improvements	1,150,000.00
Parks, Playgrounds and Recreation	243,000.00
Public Free Schools	2,000,000.00
Sanitary Sewerage System	500,000.00
Street Improvements	<u>525,000.00</u>
Total	\$4,904,000.00

Advertisement for such bids shall be in the usual and customary forms and shall be published at least once in the Bond Buyer and at least once in The Austin Statesman, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a special meeting held for such purpose at its regular meeting place, and at the time and on the date set forth above.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

Mayor Pro-tem Pearson introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH G. H. BRUSH; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

The Mayor Pro-tem announced that the ordinance had been finally passed.

The Council received the following report from a sub-committee composed of Councilman White and Councilman Thompson appointed to look into the enforcement of the sidewalk and sign ordinances:

"REPORT TO THE CITY COUNCIL ON SIDEWALK AND SIGN ORDINANCES

"Immediately following the appointment of the sub-committee composed of MR. BEN WHITE and MR. TED THOMPSON to look into the enforcement of the sidewalk and sign ordinances, the Committee met with the City Manager and the Chief of Police and made a tour of the City for the purpose of learning first hand the extent of the violations of these ordinances in Austin.

"The portion of the City covered on this tour included East 4th Street, East 5th Street, East 6th Street, East 7th Street, East Avenue, Red River, East 19th Street, San Jacinto Boulevard, Guadalupe Street and West 5th Street. Streets inspected independently by Mr. White included South Congress, Duval, 34th Street, Burnet Road, Alice Avenue and Lamar Boulevard.

"The Committee wishes to report that this investigation revealed that there are a few places in Austin where the ordinances are being grossly violated, and there are a great number of places in the city where there occur very minor violations. It is the impression of the Committee that these minor violations are city-wide.

"After giving a great deal of consideration to the advisability of amending the ordinances or repealing the ordinances, this Sub-committee has concluded to recommend to the Council the strict enforcement of the present ordinances. It is the belief of the Sub-committee that a great majority of these minor violators are not conscious that they are in violation of the ordinances. There are, however, cases where the violators have been notified and fully understand that they are in violation of the ordinances. It is the recommendation of this Sub-committee that the Council instruct the Administration to forthwith begin city-wide enforcement of these ordinances.

"It is the recommendation of this Committee that the Council set a policy to be followed by the Administration in the enforcement of the ordinances that will provide that all violators be given thirty days' notice to bring themselves in compliance with the ordinances and such other provisions as the Council deems wise to include in their policy statement.

"It is the opinion of the Sub-committee that by far the great majority of people who are now in violation of these ordinances will, if approached in a

friendly manner, be quite willing to lend their best cooperation to the Administration in accomplishing the complete enforcement of the ordinances, and especially if they know that all citizens of Austin are being dealt with alike in an effort to enforce the ordinances.

"(S) Ben White
(S) Ted R. Thompson"

"SECOND RECOMMENDATION ABOUT AMENDMENT OF THE ORDINANCES"

"A reading of the present ordinance revealed that it is quite antiquated and deals with some aspects of the Sanitation Laws which are no doubt now covered in the Sanitation Ordinances. It is therefore recommended that the City Attorney redraw this ordinance to exclude any provision covered by other ordinances. Particular reference is being made to the section of the ordinance dealing with the display of fresh meats.

"(S) Ben White
(S) Ted R. Thompson"

Action was delayed until next week on these recommendations and Councilman Long asked the City Attorney to furnish copies of the ordinances relating to sidewalks.

Mayor Pro-tem Pearson introduced the following ordinance:

not proposed

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

The Mayor Pro-tem announced that the ordinance had been finally passed.

The Council deferred action for one week on a resolution whereby the City Manager would be authorized to execute an easement making certain grants to Mt. Vernon Motor Courts, Ltd.

Councilman White inquired about the opening of West Mary Street across the railroad tracks. The City Manager was requested to call the Railroads and prompt them.

The City Manager was requested to check for a signal light at Annie Street and South Congress Avenue.

Councilman Long inquired about the cleaning out of a drainage ditch on Funston Street. Mr. Levander stated they would start soon.

Councilman Long inquired about changing the name of part of Webberville Road. Mayor Pro-tem Pearson stated that would be brought up next week.

The Council called a meeting Monday April 19th at 2:00 P.M. to discuss the problem of Administrative procedures with Mr. Ferguson of Griffin Hagen and Associates.

The Council received a request from Mr. John D. Reed, 1402 Concordia Street that stop signs be placed at the intersection of Concordia and LaFayette Streets. This was referred to the City Manager for study and recommendation.

Mayor Pro-tem Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Roberta Reed Dickson, a charming and dynamic citizen of Austin, has presented to the City and the children of Austin a park; and

WHEREAS, Mrs. Dickson has long been known for her outstanding community

service and untiring efforts for humanitarian causes, and her continuing services for every movement for the betterment of Austin, its religious, educational, recreational, welfare, and business enterprises, entitles her to be honored by her City Government and the people of Austin; Now, there be it

RESOLVED, that this outstanding citizen be fittingly recognized by the city government and the residents of our town, and that the members of the City Council hereby extend their most heartfelt thanks to this honest, genuine, and gracious lady for her contribution to the present and future generations of children and, be it further

RESOLVED, that a copy of this resolution be transmitted to Mrs. Dickson.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission:

CODY WALKER	8617 Burnet Road (SE Cor. Polaria Ave.)	From "A" Residence and 1st Height and Area To "C-1" Commercial and 6th Height and Area
MISS LYDIA LITTMAN	1701 Rosewood Ave. (SE Cor. Leona St.)	From "C" Commercial To "C-1" Commercial
M. E. CHERNOSKY	Vargas Rd. S. of Bas- trop Hwy. (413-17 Vargas Road)	From "A" Residence To "D" Industrial
SAM McDONALD	8300 Blk. Lamar Blvd. (NE Cor. West Powell Lane)	From "A" Residence To "D" Industrial
K. R. MEYER	1902-04 Lake Austin Blvd.	From "A" Residence To "C" Commercial
J. K. HURST	1004 West Avenue	From "B" Residence and 1st Height and Area To "C" Commercial and 6th Height and Area
R. C. DONAHO	SE Cor. So. 1st & Normandy Sts. (4100 Block South 1st)	From "A" Residence To "C" Commercial
Board for PRESBYTERIAN STUDENT WORK at the University of Texas	411 West 23rd St. (SE Cor. San Antonio)	From "B" Residence and 2nd Height and Area To "C" Commercial and 6th Height and Area

The City Manager submitted the following:

"March 23, 1954

"Memo to: Mr. W. E. Seaholm, City Manager
From: D. C. Kinney, Superintendent Electric Division

"Bids were received March 18, 1954, on the 500 KVA Regulator for West Substation. The bids are tabulated as follows:

General Electric Company	\$14,319.00	Stock
Priester Supply Company	14,319.00	Stock
Westinghouse Electric Corporation		
	14,319.00	Stock
Allis-Chalmers Manufacturing Company	14,319.00	Stock
Graybar Electric Company	14,319.00	Stock

"All of the regulators offered on the above bids met the specifications and the delivery times were acceptable on all but the Priester Supply Company quotation.

"Inasmuch as all the bids were identical, I recommend that we accept the bid of Graybar Electric Company, the only local supplier with satisfactory delivery date.

"(S) D.C.K.
D. C. Kinney, Superintendent
Electric Division

Approved
(S) W.E.S.
W. E. Seaholm
City Manager"

Councilman Long moved that the Council not act on the bids for a 500 KVA Regulator until next week and the City Clerk refer it to the County Attorney for investigation. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The Structural Waterproofing Company is the Contractor for the alteration of a building located at 104 East 6th Street and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 69, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Structural Waterproofing Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the south line of the above described property approximately sixty feet east of the southwest corner; thence in a southerly direction and at right angles to the centerline of East 6th Street to the north curb line; thence in an easterly direction and parallel with the centerline of East 6th Street approximately thirty feet to a point; thence in a northerly direction and at right angles to the centerline of East 6th Street to the south line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Structural Waterproofing Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, The top of the walkway shall be covered solidly with boards at least 2 inches thick which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(3) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(4) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment and other obstructions shall be removed not later than June 12, 1954.

(5) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(6) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part of all of said space any time with its public utilities, or for other necessary public purposes.

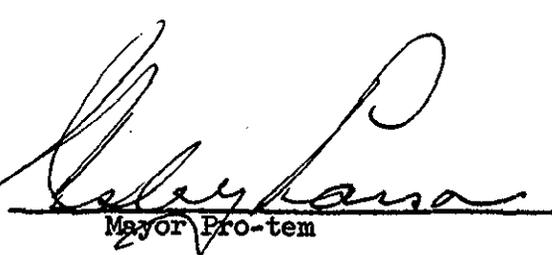
(7) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

There being no further business the Council adjourned at 12:30 P. M. subject to the call of the Mayor.

APPROVED


Mayor Pro-tem

ATTEST:


Deputy City Clerk